

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY

For Official Use

IN THE MATTER OF

☐ Amended

Petition for

☐ Temporary Guardianship

☐ Permanent Guardianship
of Minor

Case No. _____

Date of Birth _____

FOR TEMPORARY AND/OR PERMANENT GUARDIANSHIPS (Complete #1 through #14)

UNDER OATH, I STATE THAT:

1. I am interested as:

- ☐ a relative _____
☐ a public official. My authority to act as petitioner is: _____
☐ other: _____

2. This petition is filed in:

- ☐ the county of residence of the minor.
☐ the county in which the minor is physically present.
☐ Other: _____

3. The residence of the minor is in _____ County, State of _____,
and post-office address is: _____

4. The minor's date of birth is: _____

5. The name and post-office address of the person or institution, if any, that has care and custody of the minor
or the facility, if any, that is providing care to the minor is:

Name: _____ Phone Number: _____

Post-office Address: _____

6. **I have exercised due diligence to locate all interested parties.** The names and post office addresses of
all interested parties and all others entitled to notice are as follows: ☐ See attached

NAME

RELATIONSHIP

POST-OFFICE ADDRESS

☐ 7. The minor, if married, ☐ does ☐ does not have children who are not of the current marriage.

8. This petition is made in the best interests of the minor. The minor needs a guardian because: _____

☐ 9. I am ☐ not aware ☐ aware of a guardianship or other related proceeding or ordered proceeding
involving the minor in another state or county. The details of the guardianship, or other related proceedings of
which I am aware are as follows: ☐ See attached

☐ guardian(s) appointed in Wisconsin: (Name and county where appointed) _____

☐ guardian(s) appointed out-of-state: (Name and state where appointed) _____

10. The following person is nominated as guardian:☐ **See attached**

Type of Guardian		Name & Address	Phone
Guardian of the	Person		
Guardian of the	Estate		
Temporary Guardian of the	Person		
Temporary Guardian of the	Estate		
Standby Guardian of the	Person		
Standby Guardian of the	Estate		

☐ One or both of the parents of the minor have not been nominated as guardian because: _____**11. A sworn and notarized Statement of Acts by Proposed Guardian and Consent to Serve:**☐ accompanies this petition.☐ will be filed **at least 96 hours** before the hearing.☐ will be provided, if required by the court for temporary guardianship.**12. A. The approximate value of minor's property is:**☐ **See attached**

<u>General</u>	<u>Amounts</u>	<u>General Description</u>	<u>Amounts</u>
Cash/Bank	\$	Other Liquid Assets:	\$
Real estate:	\$	Other Assets:	\$

B. Assets of minor previously derived from or benefits of minor now due and payable from U.S. Department of Veterans Affairs are:☐ none☐ _____ ☐ **See attached****C. The minor is receiving public benefits, including medical assistance, SSI, SSDI or long term community options program benefits:** ☐ No ☐ Yes, type and amount: _____**D. Any other claim, income, compensation, pension, insurance or allowance to which the minor may be entitled is** ☐ none. ☐ as follows: _____☐ **See attached.**

<u>General</u>	<u>Amounts (monthly)</u>	<u>General Description</u>	<u>Amounts (monthly)</u>
Social security	\$	Investment Income	\$
Child Support	\$	Other	\$
Disability	\$	Other	\$

☐ **13. I request the court order payment of child support.**☐ **See attached**☐ **FOR PERMANENT GUARDIANSHIP (Complete #14)****14. GUARDIAN OF PERSON AND EXTENT OF POWERS**

I request the court to appoint a permanent guardian of the person of the minor to exercise the following specific powers: **If a power is to be affected, the box to the far left must be marked. Marking only full or limited has no effect.**

- ☐ ab. Except as otherwise limited by Wisconsin Statute 54.25(2)(d)2.ab., the power to give an informed consent to the voluntary receipt by the guardian's ward of a medical examination, medication, including any appropriate psychotropic medication, and medical treatment that is in the ward's best interest, if the guardian has first made a good-faith attempt to discuss with the ward the voluntary receipt of the examination, medication, or treatment and if the ward does not protest.

Choose (1) or (2):

- ☐ (1) Minor retains limited capacity and the power to: _____

Guardian of the person to exercise power not retained by minor.

- ☐ (2) Minor lacks evaluative capacity in full. Guardian of the person to exercise full power.

- ☐ ac. Except as otherwise limited by Wisconsin Statute 54.25(2)(d)2.ac., the power to give informed consent, if in the ward's best interests, to the involuntary administration of a medical examination, medication other than psychotropic medication, and medical treatment that is in the ward's best interest.

Choose (1) or (2):

- ☐ (1) Minor retains limited capacity and the power to: _____
Guardian of the person to exercise power not retained by minor.
- ☐ (2) Minor lacks evaluative capacity in full. Guardian of the person to exercise full power.
- ☐ b. The power to authorize minor's participation in an accredited or certified research project if the research project might help the minor, or others if minimal risk of harm.

Choose (1) or (2):

- ☐ (1) Minor retains limited capacity and the power to: _____
Guardian of the person to exercise power not retained by minor.
- ☐ (2) Minor lacks evaluative capacity in full. Guardian of the person to exercise full power.
- ☐ c. The power to authorize minor's participation in research that might not help the minor but might help others if greater than minimal risk of harm to the minor but evidence indicates minor would have elected to participate.

Choose (1) or (2):

- ☐ (1) Minor retains limited capacity and the power to: _____
Guardian of the person to exercise power not retained by minor.
- ☐ (2) Minor lacks evaluative capacity in full. Guardian of the person to exercise full power.
- ☐ d. The power to consent to experimental treatment in the minor's best interests.

Choose (1) or (2):

- ☐ (1) Minor retains limited capacity and the power to: _____
Guardian of the person to exercise power not retained by minor.
- ☐ (2) Minor lacks evaluative capacity in full. Guardian of the person to exercise full power.
- ☐ e. The power to give informed consent to receipt by minor of social and supported living services.

Choose (1) or (2):

- ☐ (1) Minor retains limited capacity and the power to: _____
Guardian of the person to exercise power not retained by minor.
- ☐ (2) Minor lacks evaluative capacity in full. Guardian of the person to exercise full power.
- ☐ f. The power to give informed consent to release of confidential records other than court, treatment, and patient health care records and redisclosure as appropriate.

Choose (1) or (2):

- ☐ (1) Minor retains limited capacity and the power to: _____
Guardian of the person to exercise power not retained by minor.
- ☐ (2) Minor lacks evaluative capacity in full. Guardian of the person to exercise full power.
- ☐ g. The power to make decisions related to mobility and travel.

Choose (1) or (2):

- ☐ (1) Minor retains limited capacity and the power to: _____
Guardian of the person to exercise power not retained by minor.
- ☐ (2) Minor lacks evaluative capacity in full. Guardian of the person to exercise full power.
- ☐ h. [Intentionally omitted to correspond with statute.]
- ☐ i. The power to choose providers of medical, social, and supported living services.

Choose (1) or (2):

- ☐ (1) Minor retains limited capacity and the power to: _____
Guardian of the person to exercise power not retained by minor.
- ☐ (2) Minor lacks evaluative capacity in full. Guardian of the person to exercise full power.
- ☐ j. The power to make decisions regarding educational and vocational placement and support services or employment.

Choose (1) or (2):

- ☐ (1) Minor retains limited capacity and the power to: _____
Guardian of the person to exercise power not retained by minor.
- ☐ (2) Minor lacks evaluative capacity in full. Guardian of the person to exercise full power.
- ☐ k. The power to make decisions regarding initiating a petition for termination of marriage.

Choose (1) or (2):

- ☐ (1) Minor retains limited capacity and the power to: _____
Guardian of the person to exercise power not retained by minor.
- ☐ (2) Minor lacks evaluative capacity in full. Guardian of the person to exercise full power.
- ☐ l. The power to receive all notices on behalf of minor.

Choose (1) or (2):

- ☐ (1) Minor retains limited capacity and the power to: _____.
Guardian of the person to exercise power not retained by minor.
- ☐ (2) Minor lacks evaluative capacity in full. Guardian of the person to exercise full power.
- ☐ m. The power to act in all proceedings as an advocate of the minor, except the power to enter into a contract that binds the minor or the minor's property or to represent the minor in any legal proceedings pertaining to the property, unless the guardian of the person is also the guardian of the estate.
- Choose (1) or (2):**
- ☐ (1) Minor retains limited capacity and the power to: _____.
Guardian of the person to exercise power not retained by minor.
- ☐ (2) Minor lacks evaluative capacity in full. Guardian of the person to exercise full power.
- ☐ n. The power to apply for protective placement or for commitment.
- Choose (1) or (2):**
- ☐ (1) Minor retains limited capacity and the power to: _____.
Guardian of the person to exercise power not retained by minor.
- ☐ (2) Minor lacks evaluative capacity in full. Guardian of the person to exercise full power.
- ☐ o. The power to have care, custody, and control of the minor.
- Choose (1) or (2):**
- ☐ (1) Minor retains limited capacity and the power to: _____.
Guardian of the person to exercise power not retained by minor.
- ☐ (2) Minor lacks evaluative capacity in full. Guardian of the person to exercise full power.
- ☐ p. other specific powers: _____
- ☐ **See attached**

15. GUARDIAN OF THE ESTATE

I request the court:

- ☐ A. Appoint and authorize a permanent guardian of the estate of the minor to perform duties and exercise powers as follows:
Guardian of the estate is to perform the duties of the guardian of the estate under §54.19, and exercise the powers that do not require court approval under §54.20 (3), except as follows:

- ☐ **See attached**
- ☐ B. Authorize the guardian of the estate to perform the following **additional powers** (other than to make gifts) that require court approval under §54.20(2): _____
- ☐ C. Direct the guardian of the estate deposit the minor's funds of \$100,000 or less in an insured account of a bank, credit union, savings bank or savings and loan association in the name of the guardian and the ward and payable only upon further order of the court and waive bond for the guardian of the estate of the minor.

☐ **16. ALTERNATIVE TO GUARDIANSHIP OF ESTATE FOR SMALL ESTATES**

I request the court dispense with the appointment of a guardian of the estate and transfer the minor's funds of \$50,000 or less under one of the alternatives for small estates under §54.12(1), WI Statutes, as follows: _____

☐ **See attached**☐ **FOR TEMPORARY GUARDIANSHIPS (Complete #17 through #21):****17.** There has been no temporary guardianship of the minor in effect **within the last 90 days**.**18.** The minor's particular situation, including the needs of the minor's dependents, if any, requires immediate appointment of a **temporary** guardian for the following specific reasons:
_____☐ **See attached**

19. I petition the court for the appointment of a temporary guardian with authority limited to those acts that are reasonably related to the reasons for appointment. The authority requested for the temporary guardian is as follows: _____

☐ **See attached**

☐ **20.** I request that a hearing be held **within 48 hours**. Good cause exists to support this request for the following reasons: _____

☐ **See attached**

☐ **21.** A petition for appointment of a permanent guardian of the person or estate is **NOT** filed with this request because: _____

☐ **See attached**

☐ **22.** Additional requests: _____

☐ **See attached**

I REQUEST THAT THE COURT:

1. Order a hearing on this petition.
2. Make appropriate findings and appointments as requested above.
3. Award appropriate fees and costs.

Subscribed and sworn to before me

on _____

Notary Public/Court Official

My commission expires: _____

Signature of Petitioner

Name Printed or Typed

Address

Name of Attorney	
Address	
Telephone Number	Bar Number